

### REMARKS

This Application has been carefully reviewed in light of the Office Action mailed May 27, 2005. At the time of the Office Action, Claims 1-21 were pending in this Application. Claims 1-21 were rejected. Claim 1 has been amended to further define various features of Applicants' invention. Applicants respectfully request reconsideration and favorable action in this case.

#### **Rejections under 35 U.S.C. §101**

Claims 1-4 and 8 were rejected by the Examiner under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Specifically, Examiner states that the subject matter of Claims 1-4 and 8 is "not clearly in the technological art." Applicants respectfully submit that Claim 1 is clearly directed to a method for "naming hosts in a distributed data processing system" and that the hosts in questions are firmly within the technological arts and are not applicable to a person as suggested by the Examiner. Applicants request reconsideration and favorable action.

#### **Rejections under 35 U.S.C. § 102**

Claims 1-21 were rejected by the Examiner under 35 U.S.C. §102(b) based upon a public use or sale of the invention. Examiner has requested additional information regarding the operation of the PowerApp Kick-Start Utility.

The Kick-Start utility utilizes a floppy disk that contains relevant information about each machine (name, address, etc) on the floppy disk. The floppy disk is then inserted into each machine and the information stored thereon is used to configure each machine. Alternately, this can be done using a console mode. This process is described in the references cited by the examiner: Dell PowerApp.web--Linux Edition, pages 4-6 and Dell PowerApp.web 100 Systems, pages 2-3. There are several differences between the present claimed embodiment and the Kick-Start utility. For instance, the present invention utilizes "user input" from each host, and such user input may be the insertion of a diskette, such user input is not disclosed, taught or suggested by the Kick-Start utility. Namely, the insertion of

a diskette is used only to send a signal from the host to the cluster controller so that the cluster controller will proceed with generating a host name for the host in question. As described in the application, "the fact that a disk has been inserted is treated as user input, without regard to whatever data, if any, is stored on the disk." See application, paragraph 21. Power or reset buttons may also be used to send "user input." See *id.* The Kick-Start utility assigns names when generating the configuration disk or file and requires that a system administrator first visits that host machines in question and note the MAC address or service tag of each machine.

As described in paragraph 37 of the present application, one advantage of the present invention is that the process can operate without an installed operating system on each client machine.

As such a simplified comparison of the present claimed invention and the Kick-Start utility available at the time is provided below:

1. Kick-Start utility
  - a. typically uses configuration and host information on a disk
  - b. requires an Operating System on the host
2. The present disclosure
  - a. can use a disk with no information or other "user signals" (such as a reset switch)
  - b. no Operating System is required at the host

Applicants have submitted additional information presently available to Applicants related to the Kick-Start Utility in the attached Information Disclosure Statement. Additionally, Applicants direct Examiner to reference "P" of the Information Disclosure Statement filed with the original application.

Applicants further note that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1997). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the art cited as anticipatory by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

For at least the reasons discussed above, the Kick-Start Utility fails to disclose teach or suggest the use of user input as recited or the use of the interchange of a unique identifier and user signals to be used to generate host names as presently claimed and therefore cannot anticipate or raise on-sale bar issues with respect to the present claimed embodiments. Applicants respectfully request reconsideration, withdrawal of the §102 rejection, and full allowance of Claims 1-21.

**Rejections under 35 U.S.C. §103**

**Claims 1-3, 5, 7-12, 14-19 and 21.**

Claims 1-3, 5, 7-12, 14-19 and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,631,442 issued to Steven M. Blumenau (“Blumenau”) in view of U.S. Patent No. 6,378,068 issued to Mark J. Foster et al. (“Foster”). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

In order to establish a *prima facie* case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Examiner cites to Blumenau as teaching the steps of:

1. receiving a unique identifier (UID) from each host in communication with a cluster controller.
2. receiving user input from a first host; and
3. in response to receiving the user input from a first host, associating a first host name with the UID for the first host.

Applicants submit that Blumenau fails to teach the elements described by Examiner. As an initial matter, Blumenau does not disclose, teach or suggest a cluster controller. Instead, Blumenau teaches a switch 250 that generates a “unique identification ID” that relates to a World Wide Name (WWN) of a host. See col. 22, lines 54-67. A switch is not a cluster controller.

Further, Blumenau fails to disclose, teach or suggest the steps of “receiving user input from a first host” and “in response to receiving the user input from a first host, associating a

first host name with the UID for the first host.” Emphasis added. Instead, the switch 250 of Blumenau creates the “unique identification ID” upon receipt of the WWN of the host. See col. 22, lines 59-63. Simply put, the independent claims of the present embodiment require that a UID and “user input” be submitted prior to the creation of the host name. Blumenau does not disclose teach or suggest the use of “user input” and teaches only the submission of the WWN of the device.

The Foster reference also fails to teach these features. Additionally, Examiner cites to Foster as teaching, “after associating the first host name with the UID, causing the first host to produce a completion signal.” Foster is generally related to “the provision of suspend/resume capability in a microprocessor.” See Col. 1, lines 10-15. Examiner cites to a description of Figure 42, a overview block diagram of an external power management interrupt handler routine for teaching related to the use of a hard disk drive LED signal within a power management interruption process. See col. 52, lines 8-21. Applicants submit that there is no logical motivation for one of skill in the art to apply teachings of an external power management interrupt routine to a method for generating host names as recited in the independent claims of the present disclosure.

Additionally, Examiner’s proposed combination of the Foster Microprocessor with the naming system of Blumenau would not yield the present invention. Instead, Blumenau would operate in the same manner (would not utilize user input as recited in the Independent claims) but would benefit from the power management benefits of the Foster Microprocessor.

Accordingly, Applicants request reconsideration, withdrawal of the rejections under §103 and full allowance of Claims 1-3, 5, 7-12, 14-19 and 21.

Claims 4, 6, 13 and 20.

Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Blumenau and Foster as applied to Claims 1-3, 5, 7-12, 14-19 and 21 above, and further in view of U.S. Patent No. 6,098,116 issued to Mark Nixon et al. (“Nixon”). Claims 6, 13 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Blumenau and Foster as applied to Claims 1-3, 5, 7-12, 14-19 and 21 above, and further in view of CD-ROM Professional, August 1, 1995, Volume, 8, Issue 8, by Lawrence Gussin (“Gussin”).

Applicants respectfully traverse and submit that the Claims listed above each depend from Claims that have now been placed in condition for allowance, thereby obviating the present rejections. Applicants request reconsideration, withdrawal of the rejections under §103 and full allowance of Claims 4, 6, 13 and 20.

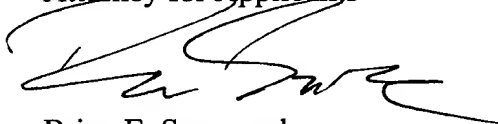
**CONCLUSION**

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of Claims 1-21 as amended.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 02-0383 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2548.

Respectfully submitted,  
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~~Attorney for Applicants~~



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